

FEDERAL PROGRAM MONITORING SELF-ASSESSMENT INSTRUMENT

2004-2005



Continuous Improvement Monitoring Process

Regulations Governing Special Education Programs for
Children with Disabilities, 8 VAC 20-80-10

Virginia Department of Education
Division of Educational Accountability

School Division

Date

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VIRGINIA'S FEDERAL PROGRAM MONITORING SYSTEM: TRANSFORMING AN EVENT INTO A MEANINGFUL PROCESS

The Virginia Department of Education (DOE) maintains the responsibility for the adoption and use of effective methods to monitor compliance with federal and state requirements and to ensure the correction of deficiencies in program operations. As the Department carries out this task, it remains focused on its primary goal: to raise academic performance for all children in the Commonwealth and to effect greater accountability for public education.

Virginia's monitoring system has been effective in maintaining procedural compliance with federal and state regulations; however, the process routinely has not been used to analyze results, implement change, and evaluate the impact on student achievement. With federal initiatives to progress from procedural compliance monitoring to a system that focuses on program effectiveness and student results, the Virginia Department of Education strives toward employment of a model that emphasizes a systemic approach to improve and sustain the system and to positively effect student success. The use of such a model will advance and validate the school division's role in the process; thus, shifting the existing paradigm from an episodic procedural monitoring view to one of active strategic planning and continuous improvement by all parties involved.

Phase I of the monitoring process requires school divisions to conduct a self-assessment and take the necessary steps to correct any identified deficiencies and address areas of concern for program improvement. Phase II requires the Department of Education to review and analyze the self-assessment document along with other relevant data regarding the school division. That analysis is used in determining whether or not there is a need for any further monitoring by the Department of Education staff through an on-site visitation. Phase III requires the Department of Education to conduct timely follow-up with school divisions on the implementation of corrective actions based on mutually-agreed timelines.

Objectives of the Revised Monitoring System

- To move from an event to a meaningful and continuous process that focuses on student results
- To connect procedural compliance to overall school improvement efforts
- To empower school divisions in the assessment, implementation, and evaluation of their local programs
- To provide support and assistance to school divisions in the areas needed

Characteristics of the Revised Monitoring System

- Strong and diverse customer input
- Effective methods for determining compliance with an emphasis on requirements that relate most directly to continuous improvement in learner results
- Prompt identification and correction of deficiencies
- Monitoring requirements and procedures to yield improved access and results for students rather than simple “paper compliance”

Components of the Monitoring System

- Self-assessment by school divisions
- Opportunity for greater community and parental involvement
- Opportunity to enhance the collaborative relationship between school divisions, parents, and the DOE
- Desk analysis of relevant data by DOE staff to determine compliance and the need for any further monitoring
- A mechanism to analyze various data sources including the results of the self-assessment, focusing on program effectiveness and student results
- Individualized on-site reviews by DOE staff when conditions are warranted
- Timely follow up by DOE staff on the implementation of corrective actions

FEDERAL PROGRAM MONITORING

Ideally, What is Monitoring?

Monitoring is an “administrative system of measures and procedures that supports the assurance that programs and services comply with requirements. When noncompliance is detected, corrective actions are implemented within a reasonable period.”

Processes

- ✓ Data-Driven
- ✓ Integrated into routines
- ✓ Involves stakeholders
- ✓ Fair (No gotchas)

Products

- ✓ Assurances of protection and effectiveness
- ✓ Strategic use of limited resources
- ✓ Continuous improvement
- ✓ Meaningful and timely corrective actions

PHASE I: THE SELF-ASSESSMENT PROCESS

Data Collection, Analysis and Planning

Phase I of the monitoring process consists of a self-assessment of programs by school divisions. The Department of Education provides the self-assessment instruments for each program. The self-assessment instrument requires an assessment of each state and federal requirement. When school divisions determine that they are not meeting a specific requirement, immediate action is needed to correct the situation to ensure that all eligible children receive the required services. When concerns are identified, yet the requirement is being met, the school division should seek means to address the issue(s).

The self-assessment should be used to facilitate program improvement efforts. School divisions are encouraged to analyze procedural data as a whole, examine other data sources, identify program issues, and reflect on how the school division will strategically improve program effectiveness. School divisions are to evaluate strategies they have employed and address specific areas that significantly influence program outcomes and student results such as staff development, curriculum and instruction, and parental involvement. Based on research, it has been determined that these are key areas that strongly influence academic achievement and program outcomes.

School divisions are given flexibility in conducting their self-assessments. However, the following components are essential: (1) a diverse committee to do the assessment, including both special and regular education teachers, administrators, support personnel, and community representatives (2) strong parental input and (3) adequate review of documentation through interviews, records reviews, observations, etc., to determine that the school division is meeting each requirement.

Any one record found in noncompliance must be corrected. The review committee should be mindful of the over-all purpose of the process—to ensure compliance with requirements and better student results.

Guiding Principles for the Special Education Review

Major goals that should guide the special education self-assessment and program improvement are as follows:

- All individuals' unique instructional needs will be accurately identified.
- All individuals with disabilities will be served or taught by fully qualified personnel.
- All individuals with disabilities will be successfully integrated with their nondisabled peers throughout their educational experience.

- All individuals with disabilities will meet high standards for academic and nonacademic skills.
- All individuals with disabilities will successfully participate in preparation for the workplace and independent living.

Benefits of the Self-Assessment

Some valuable benefits can be derived from the self-assessment. The self-assessment:

- Facilitates a shared responsibility in the implementation of a comprehensive accountability system
- Identifies areas needing improvement which allows priorities to be set, technical assistance needs to be determined, and a plan of action to be developed
- Provides a better understanding of state and federal requirements
- Enhances the opportunity for school divisions to identify and promptly correct unmet requirements
- Permits less intrusive state monitoring

PHASE II: REVIEW AND IMPLEMENTATION

Phase II of the monitoring process requires the Department of Education's monitoring staff to review the school division's completed self-assessment and program improvement plan; evaluate the corrective actions needed; and conduct an on-site review as needed. In addition, staff members assess other relevant data sources including the division's local plan for special education, the department's child count data, complaints and due process files, previous monitoring and follow-up reports, mediation issues, and teacher licensure status. The process also involves an analysis of available data including graduation rates, dropout rates, suspension and expulsion, and participation in the state assessment program.

Upon completion of the data analyses, a determination is made as to the scope and intensity of the department's on-site review. The on-site reviews are designed according to the results of the data review; however, there are identified major areas of concentration or predetermined "focus areas." These "focus areas" include requirements that were cited in other divisions three or more times during the previous year; requirements frequently cited in the department's complaints and due process files; mediation issues; requirements previously cited by the U. S. Office of Education; and requirements identified through concerns from the department's special education technical assistance staff, parents, and special interest groups.

School divisions are required to implement prompt corrective action when it is determined that requirements are not being met; therefore, during the on-site visitation, the initial task of the reviewer or review team, is to verify that the division has made the necessary corrections to address the areas cited during the self-assessment. When a division fails to correct identified areas of noncompliance; the school division is in jeopardy of losing special education funds.

The On-site Review

The division superintendent is notified of the monitoring schedule for the year in the early fall. The monitoring specialist coordinating the review works with the local program administrator to develop a schedule of activities needed to conduct the review. Activities may include reviewing student records, interviewing staff, parents, and students, making classroom and building observations, and attending a public meeting with the local advisory committee members and parents. A copy of the monitoring schedule is made available at least two weeks in advance.

When it is determined that an on-site review is appropriate, the visit is planned according to the results of the Department's data analysis. The results may warrant a comprehensive on-site review of all aspects of the program or a modified review encompassing one or more targeted areas. The on-site review will also focus on verifying whether or not the school division has implemented corrective actions for deficiencies identified during their self-assessment. The amount of time spent in a school division will vary according to the size of the division and the issues of concern.

At the conclusion of DOE's on-site review, a preliminary oral report is given to the division superintendent or designee, the program administrator and other select staff. A written report of findings is provided to the division superintendent within four to six weeks. The report includes a brief summary of the review process; identification of unmet requirements identified by the school division in the self-assessment, provided that the school division has not made the necessary correction(s); identification of unmet requirements identified by DOE's review team and recommended corrective action; and some recommendations for further improvement.

PHASE III: VERIFICATION OF CORRECTIVE ACTIONS

Phase III of the monitoring process involves any necessary follow-up and verification that the division has implemented the necessary actions for compliance. The verification process ensures followup on deficiencies identified by school divisions during their self-assessment and any compliance issues discovered during the department's on-site review. The verification process begins with the department's initial on-site review; therefore, it should not be interpreted that it occurs during the third year of the process. Verification may require submission of documentation and/or additional on-site visitations by the Department of Education.

When a school division fails to correct deficiencies after a reasonable period, the Department of Education has the authority to impose sanctions, which could result in withholding funds. If the school division should disagree with the DOE's findings or imposed sanction for failure to comply with federal and state requirements, the division may request an appeal.

APPEAL PROCESS

The division superintendent may appeal any actions imposed as a result of findings from the federal program monitoring system. If the matter remains unresolved after informal review, or if the division superintendent wishes to formally appeal, he or she may submit a written request to the director of federal program monitoring. The written request must be postmarked within 15 calendar days of the date of the monitoring report. The school administrator may refute the action taken by DOE in person and/or by written documentation. Within 15 calendar days of the written appeal request, the director of federal program monitoring advises the school division in writing of DOE's decision reaffirming the original finding or changing the finding. The decision is based on a review of additional information provided by the school division, and, if needed, further review of data collected during the review process.

INSTRUCTIONS FOR COMPLETING THE SELF-ASSESSMENT

Coordination of Monitoring Activities

Each division superintendent should designate an individual to coordinate the division's monitoring activities. The coordinator should ensure the following:

- The division has a well-planned procedure for conducting the self-assessment and solicits input from the community
- The division has identified a strong diverse self-assessment committee
- The division has developed a program improvement plan to address identified deficiencies
- The division corrects identified deficiencies in a timely manner
- The self-assessment report is reviewed with the division superintendent, local advisory board, and others as appropriate

The Self-Assessment Process

School divisions are given flexibility in determining how the division will conduct the self-assessment. A school-by-school assessment is recommended; however, that type of review would need to be compiled into a single division-wide report. School divisions are encouraged to establish a diverse committee to conduct the review. The committee composition may include representatives of the following: school administrators (including building principals), teachers, parents, local advisory committee, support personnel, and other individuals as appropriate. Team members should be knowledgeable about the program and have an understanding of program requirements. The number of individuals on the committee may vary depending on the size of the schools, school division, and program.

Each federal and state requirement has been identified in the self-assessment document. Careful examination of the compliance questions or statements should be made before determining whether the school division is meeting the requirement. The sources of documentation to verify compliance should be indicated in the space provided in the self-assessment booklet. When the self-assessment committee determines that a school or the school division is not meeting a requirement, the school division is to provide an explanation in the comment section. The comment section may be used to make any additional remarks that will help the department staff to further understand or assess the situation. Additional sheets for explanations or comments may be attached as needed.

PROGRAM IMPROVEMENT PLANNING

In line with recent federal initiatives, the Department of Education is continually striving to move the current monitoring process to a system that empowers local divisions to focus on program effectiveness and student results. Through various components such as data collection and self-evaluation, divisions identify problems, develop and initiate improvement strategies, and verify their effectiveness.

As part of the federal program monitoring process, local divisions are asked to complete the Program Improvement Planning process for the special education program. This process consists of two parts, Part A: Corrective Action Planning, and Part B: Planning for Program Effectiveness. This information will be useful in responding to new requirements of the Individuals with Disabilities Education Act (IDEA) and to the State Special Education Program Improvement Plan. More importantly, school divisions will have a valuable source of data to enhance their special education program. If the self-assessment committee determines that the division is not fully meeting a requirement, an approach to correct the issue must be established. The action should include all areas identified by the committee as needing attention. The action must also include the following: (1) identification of the unmet requirement or area of concern (2) specific corrective action taken or planned (3) implementation date, person responsible, and (4) method to ensure full implementation. A suggested format for planning a corrective action is presented in this section.

Planning for program effectiveness should not simply be an activity to complete, but a procedure that supports learning and the ongoing improvement of the program. The planning process should identify important, long-range improvement issues and describe a specific set of actions to be undertaken relative to these issues. The process is not just a document that simply identifies "what" the areas targeted for improvement will be; it is a document that details "how" the division intends to make the desired improvements. In order to impact program effectiveness each local division's planning process should:

- Identify improvement goals
- Identify one or more performance indicators to evaluate progress toward the goal
- Identify improvement strategies/activities focusing on specific areas determined to have significant impact on student achievement
- Set timelines
- Identify resources

Identifying Improvement Goals

The goals a school division develops for their plan should be in an area that the division seeks to improve. Improvement issues can be the natural outgrowth of where the divisions' program is today and what it wants to become in the future. For this to happen, the division must first assess its present status and have established a vision for the future.

There are internal and external factors that should be examined to help identify improvement issues. Internal factors deal with issues that are within the district's direct control and may include, but are not limited to:

- < Graduation rates
- < Drop-out rates
- < Classification rates (disability categories)
- < Procedural compliance results

External factors generally deal with issues that are outside the district's direct control, but should be recognized in the district's planning efforts. They may include, but are not limited to:

- < Standards of Learning
- < State and federal program requirements
- < Demographic changes

Using such data sources allows the division to analyze existing gaps between “what is and “what is desired.” After such an analysis, a division should be able to identify the critical issues and formulate goal statements for their program plan. Goal statements should correlate to student achievement along with the promotion of the general education curriculum and the integration of special education students with non-disabled peers. Each goal should be measurable and written in terms of expected outcomes.

Identifying Performance Indicators

As a necessary component of the planning process, performance indicators should be established to accurately evaluate the goal statement. Such performance indicators should capture the essence of the established goal(s). In developing the plan, divisions may develop their own performance indicators or draw them from the state's goals.

Identifying Improvement Strategies/Activities

Improvement strategies/activities are short or long-term procedures that foster implementation of the goal statement. While the goal defines "what" the district intends to do, strategies describe "how" the district will accomplish it. Identification of strategies should break the goal down into components that will be implemented. Strategies employed should also describe the actions a division will take to address specific areas deemed to have significant impact on student achievement. Currently identified through federal initiatives and IDEA legislation, parental involvement, curriculum and instruction, and staff development are focus areas that strongly influence program effectiveness and student results. Specific timelines, not a general date as “next school year,” must be set for the implementation of each identified action.

Resources Needed

Resources needed should be identified in the plan. Various sources can be listed including state and federal funding sources, and community and regional resources. The plan should describe how a district will apply its financial and personnel resources to realize improvement outcomes.

To complete Part B of the program improvement planning process (1) analyze the compliance findings from your self-assessment (2) examine other available relevant data sources (3) identify a program area(s) of concern and (4) describe how the school division will improve the effectiveness of the program. A suggested format for planning for program improvement is presented in this section.

1. Give a brief description of your self-assessment process.
2. Identify the composition of the self-assessment committee (names and title/position).
3. Describe how parental input was obtained. (If surveys were used, estimate the number issued and the number returned.)
4. Identify strengths or exemplary practices recognized by the self-assessment committee.
5. Describe data sources used in the assessment process.

EVALUATION OF THE SELF-ASSESSMENT PROCESS

Your suggestions and recommendations will help us to improve the Department of Education's monitoring system. Please respond to each of the following questions. You may attach additional comments. Thank you.

1. Did the Department respond to your request for assistance in a timely manner? Were your concerns or needs addressed?
2. What changes would you make to the self-assessment document to provide for better understanding or clarification of the requirements?
3. How useful was the self-assessment process to your school division?
4. What challenges or barriers did you experience?
5. What suggestions would you offer to school divisions entering the self-assessment process?
6. Do you have other suggestions or recommendations to improve the process?

STATEMENT OF ASSURANCE

I certify that the _____ School Division has conducted a comprehensive self-assessment of the special education program and has developed a plan of action to address each unmet requirement and assures timely implementation of necessary corrective action.

Signature _____
Division Superintendent

Date

Signature _____
Director/Supervisor of Special Education

Date

**FEDERAL PROGRAM MONITORING
PROGRAM IMPROVEMENT PLANNING**

SPECIAL EDUCATION
PART A: CORRECTIVE ACTIONS

School Division _____ Date _____

*Unmet requirement(s) and areas of concern	Specific corrective action taken or activities planned	Timeline--date corrected or planned	Person responsible	Method to monitor compliance

*Please identify unmet requirement(s) to correspond with the numbered standard(s) in the self-assessment instrument.

**FEDERAL PROGRAM MONITORING
PROGRAM IMPROVEMENT PLANNING
SPECIAL EDUCATION**

PART B: PLANNING FOR PROGRAM EFFECTIVENESS

School Division _____ Date _____

Note: This section may correspond with the LEA's Local Improvement Plan (SLIVER Grant).

Division's Program Goals	Improvement Strategies/Activities	Timelines	Needed Resources
Goal #1: Parental Involvement			
Goal #2: Professional Development			
Goal #3: Curriculum/Instruction (including transition, technology)			
Goal #4: (Other)			

SUBMISSION OF REPORTS

Please return **two** copies of your self-assessment report to the Department of Education on or before May 15, 2005. You may contact Sandra E. Ruffin if some additional time is needed. Each self-assessment document must include the following:

- (1) An assessment of each requirement
- (2) A program improvement or corrective action plan addressing identified issues
- (3) Program summary report and evaluation
- (4) Signed statement of assurance

Mail reports to:

Dr. Sandra E. Ruffin, Director
Federal Program Monitoring
Virginia Department of Education
P. O. Box 2120
Richmond, VA 23218-2120

Telephone No.: (804) 225-2768; E-mail: sruffin@mail.vak12ed.edu

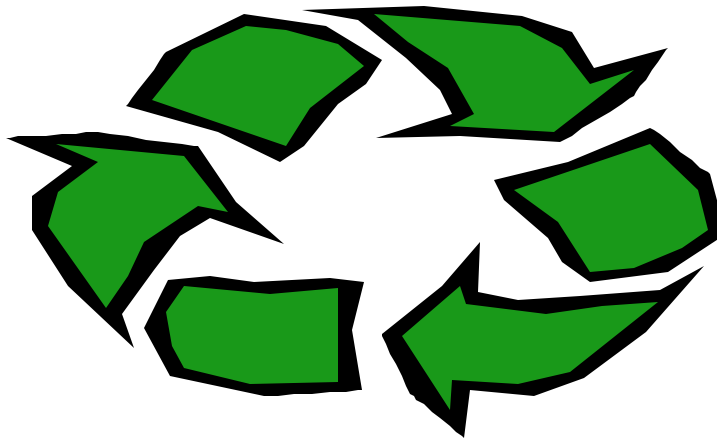
TECHNICAL ASSISTANCE

Specialists in the Office of Federal Program Monitoring are available to provide, upon request, technical assistance throughout the monitoring process. School administrators may contact the assigned specialists as printed below or you may contact the director of federal program monitoring.

<p style="text-align: center;">Dr. Tyrone Bailey (804) 786-6618 tbailey@mail.vak12ed.edu</p> <p>Buchanan Henry King George Norfolk Spotsylvania Suffolk Winchester</p>	<p style="text-align: center;">Dr. James Brashears (804) 225-3138 jbrashea@mail.vak12ed.edu</p> <p>Campbell Floyd King & Queen Mecklenburg Portsmouth Russell Tazewell West Point</p>	<p style="text-align: center;">To be Assigned (Position currently vacant) (804) 786-6765</p> <p>Amherst Buena Vista King William Patrick Prince Edward Radford Colonial Beach</p>
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FEDERAL PROGRAM MONITORING SELF-ASSESSMENT INSTRUMENT

2004-2005



Continuous Improvement Monitoring Process

Regulations Governing Special Education Programs for
Children with Disabilities, 8 VAC 20-80-10

Virginia Department of Education
Division of Educational Accountability

School Division

Date

SELF-ASSESSMENT INSTRUMENT 2004-2005

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<p align="center">REQUIREMENTS FOR REVIEW</p> <p><i>Note: The page numbers reference the section where the requirements can be found in the <u>Regulations Governing Special Education Programs for Children with Disabilities in Virginia</u>, effective March 27, 2002.</i></p>	<p align="center">DOCUMENTATION</p> <p align="center">(check those used)</p>
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8 VAC 20-80-45 SPECIAL EDUCATION STAFFING p. 20

<p>1. Special education caseloads for preschool and school-aged children, ages two to 21, inclusive, are consistent with requirements set forth in the regulations.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Staff credentials</p> <p>____ Conditional license requests</p> <p>____ VDOE approval</p> <p>____ Staff rosters</p> <p>____ IEPs</p> <p>____ Child count</p> <p>____ Other _____</p>
--	---

Comment: _____

<p>2. Alternative staffing plans have been approved by VDOE for staffing patterns different from those specified in the regulations.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Teacher interviews</p> <p>____ Class rosters</p> <p>____ Alternative staffing requests</p> <p>____ VDOE approval</p> <p>____ Other _____</p>
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Comment: _____

<p>3. Requests to waive qualification requirements for personnel who do not meet the requirements for providing interpreting services are submitted to VDOE within 30 days of each person's initial or continuing assignment to provide interpreting services.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Staff credentials</p> <p>____ Waiver request</p> <p>____ VDOE approval</p> <p>____ Staff interviews</p> <p>____ Other _____</p>
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Comment: _____

<p>4. All personnel providing special education or related services hold a current VDOE issued teaching license with the appropriate endorsement in the special education area for the position assigned.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Staff credentials</p> <p>____ Conditional license requests</p> <p>____ VDOE approval</p> <p>____ Other _____</p>
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Comment: _____

8 VAC 20-80-50 CHILD FIND p. 22

A. Target Ages

<p>5. The local school division maintains an active and continuing child find program designed to identify, locate, and evaluate those children residing within its jurisdiction (birth to 21, inclusive) who are in need of special education and related services, including children who:</p> <p style="text-align: center;">Yes ___ No ___</p> <p>a. are highly mobile, such as migrant and homeless children;</p> <p style="text-align: center;">Yes ___ No ___</p> <p>b. attend private schools, including children who are home-instructed or home-tutored;</p> <p style="text-align: center;">Yes ___ No ___</p> <p>c. are suspected of being children with disabilities and in need of special education, even though they are advancing from grade to grade; and</p> <p style="text-align: center;">Yes ___ No ___</p> <p>d. are under age 18 who are suspected of having a disability who need special education and related services and who are incarcerated in a regional or local jail in its jurisdiction for 10 or more days.</p> <p style="text-align: center;">Yes ___ No ___</p> <p>Is the locality meeting each part of the requirement? Yes ___ No ___</p> <p>Are there any concerns? Yes ___ No ___</p>	<p>___ Child find procedures</p> <p>___ Child find activities</p> <p>___ Child find communication</p> <p>___ Rosters (suspected enrollees)</p> <p>___ Parent input (home schooling)</p> <p>___ LAC involvement</p> <p>___ Other _____</p>
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Comment: _____

<p>6. The local school division coordinates child find activities for infants and toddlers (birth to age two inclusive) with the Part C local interagency coordinating council.</p> <p>Is the locality meeting the requirement? Yes ___ No ___</p> <p>Are there any concerns? Yes ___ No ___</p>	<p>___ Records of contacts</p> <p>___ Interview with child find coordinator</p> <p>___ Interagency agreements</p> <p>___ Other _____</p>
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Comment: _____

B. Public Awareness

<p>7. The local school division, at least annually, conducts a public awareness campaign to:</p> <ul style="list-style-type: none"> • inform the community of a person's, ages two to 21, inclusive, statutory right to a free appropriate public education and the availability of special education programs and services; • generate referrals; and • explain the nature of disabilities, the early warning signs of disabilities, and the need for services to begin early. <p>Is the locality meeting each part of the requirement? Yes ___ No ___</p> <p>Are there any concerns? Yes ___ No ___</p>	<p>___ Records of contacts</p> <p>___ Interview with child find coordinator</p> <p>___ Other _____</p>
--	--

Comment: _____

<p>8. The local school division's public awareness campaign uses a variety of materials and media; includes personal contacts and involvement of parents, community groups, public and private agencies, and organizations; and provides information in the person's native language or primary mode of communication.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>__ Records of contacts</p> <p>__ Interviews</p> <p>__ Review of materials</p> <p>__ Other _____</p>
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Comment: _____

C. Screening

<p>9. The local school division's screening process for children includes transfers from out of state and ensures that, within 60 business days of initial enrollment in public school, all children are screened in the following areas to determine if a referral for an evaluation for special education and related service is indicated:</p> <p>a. speech, voice, language, fine and gross motor functions (through grade three); and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>b. vision and hearing (initial enrollment, grades three, seven and 10)</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>__ Enrollment and screening dates</p> <p>__ Log of screenings</p> <p>__ Policies and procedures</p> <p>__ Other _____</p>
--	--

Comment: _____

<p>10. The local school division employs specific measures or instruments in the screening process which use both observational and performance techniques and techniques which guarantee nondiscrimination.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>__ Enrollment and screening dates</p> <p>__ Log of screenings</p> <p>__ Policies and procedures</p> <p>__ Other _____</p>
---	--

Comment: _____

<p>11. Children are referred to the special education administrator or designee no more than five business days after screening or rescreening when the results suggest a referral for evaluation for special education and related services.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>__ Enrollment and screening dates</p> <p>__ Log of screenings</p> <p>__ Policies and procedures</p> <p>__ Other _____</p>
--	--

Comment: _____

<p>12. The local school division's screening procedures provide all applicable procedural safeguards to include:</p> <p>a. written notice to parent(s) of the scheduled screenings, and if the child fails the screening, the results of the screening;</p> <p style="text-align: center;">Yes ____ No ____</p>	<p>__ Enrollment and screening dates</p> <p>__ Log of screenings</p> <p>__ Policies and procedures</p> <p>__ Other _____</p>
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8 VAC 20-80-52 REFERRAL FOR EVALUATION p. 23

15. When the child study committee submits a referral for evaluation, the committee reports, in writing, on strategies implemented to address the child's learning, behavior, communication, or development.		<input type="checkbox"/> Committee minutes <input type="checkbox"/> Date of referral and date of meeting <input type="checkbox"/> Date of referral to ASE <input type="checkbox"/> Tracking system /log <input type="checkbox"/> Other _____
Is the locality meeting the requirement?	Yes ____ No ____	
Are there any concerns?	Yes ____ No ____	

Comment: _____

16. The special education administrator or designee, upon receipt of the referral:		<input type="checkbox"/> Referral to ASE <input type="checkbox"/> Dates of referral and meeting <input type="checkbox"/> Parent contact log <input type="checkbox"/> Record reviews <input type="checkbox"/> Other _____
a. records the date, reason for referral, and name(s) of the person/agency making the referral;	Yes ____ No ____	
b. implements procedures for maintaining confidentiality of assessment data; and	Yes ____ No ____	
c. provides procedural safeguards to inform the parent(s) (in their native language or primary mode of communication) about the referral for evaluation and its purpose, parental rights with respect to evaluation, and other procedural safeguards.	Yes ____ No ____	
Is the locality meeting each part of the requirement?	Yes ____ No ____	
Are there any concerns?	Yes ____ No ____	

Comment: _____

17. If the decision is to conduct an evaluation, the special education administrator or designee:		<input type="checkbox"/> Referral to ASE <input type="checkbox"/> Dates of referral and meeting <input type="checkbox"/> Parent contact log <input type="checkbox"/> Consent <input type="checkbox"/> Notice <input type="checkbox"/> Other _____
a. secures informed consent from the parent(s) for an evaluation;	Yes ____ No ____	
b. provides required notice and procedural safeguards;	Yes ____ No ____	
c. informs the parent(s) of procedures for the determination of needed evaluation data and requests any evaluation information the parent(s) may have; and	Yes ____ No ____	
d. ensures that all evaluations are completed and that decisions about eligibility are made within 65 business days after the referral for evaluation is received by the special education administrator or designee:		
1) for preschool children transitioning from Part C to Part B; and	Yes ____ No ____	
2) for children receiving an initial evaluation or reevaluation (Part B).	Yes ____ No ____	
Is the locality meeting each part of the requirement?	Yes ____ No ____	
Are there any concerns?	Yes ____ No ____	

Comment: _____

<p>18. As part of an initial evaluation and any reevaluation, a group that is comprised of the same individuals as an IEP team, and other qualified professionals, as appropriate:</p> <p>a. reviews existing evaluation data on the child, including evaluations and information provided by the parent(s) of the child, current classroom-based assessments and observations, and observations by teachers and related services providers; and</p> <p style="text-align: center;">Yes___ No___</p> <p>b. on the basis of that review and input from the child's parent(s), identifies what additional data, if any, are needed to determine:</p> <p>1) whether the child has or continues to have a particular disability or disabilities;</p> <p>2) the present levels of performance and educational needs of the child;</p> <p>3) whether the child needs or continues to need special education and related services; and</p> <p>4) whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general curriculum; and</p> <p style="text-align: center;">Yes___ No___</p> <p>c. if no additional data are needed, considers this process to be the evaluation.</p> <p style="text-align: center;">Yes___ No___</p> <p>Is the locality meeting each part of the requirement? Yes ___ No ___</p> <p>Are there any concerns? Yes ___ No ___</p>	<p>___ Meeting minutes</p> <p>___ Evaluation components</p> <p>___ Parent input</p> <p>___ Student input</p> <p>___ Notice</p> <p>___ Other _____</p>
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19. The LEA provides notice to ensure that parent(s) have the opportunity to participate in the review of existing data.		<input type="checkbox"/> Parental notice <input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> Administrator interview <input type="checkbox"/> Other _____
Is the locality meeting the requirement?	Yes _____ No _____	
Are there any concerns?	Yes _____ No _____	

<p>20. When additional data are not needed to determine whether the child continues to be a child with a disability, the local educational agency notifies the child's parent(s) of:</p> <p>a. that determination and the reasons for it; and</p> <p style="text-align: center;">Yes___ No___</p>	<p>___Eligibility minutes</p> <p>___Parental notice</p> <p>___Parent input</p> <p>___Student input</p> <p>___Administrator interview</p> <p>___Other _____</p>
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<p>b. the right of the parent to request an evaluation to determine whether the child continues to be a child with a disability. Yes___ No___</p> <p>Is the locality meeting each part of the requirement? Yes ___ No ___ Are there any concerns? Yes ___ No ___</p>	
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Comment: _____

<p>21. The LEA has policies and procedures to ensure that:</p> <p>a. Tests and other evaluation materials are:</p> <p>1) selected and administered so as not to be discriminatory on a racial or cultural bias; and</p> <p>2) provided and administered in the child's native language or other mode of communication. Yes ___ No ___</p> <p>b. Materials and procedures used to assess a child with limited English proficiency are selected and administered to measure the extent to which the child has a disability and needs special education, rather than measuring English skills. Yes ___ No ___</p> <p>c. A variety of assessment tools and strategies are used to gather relevant functional and developmental information, including information provided by the parent(s), and information related to enabling the child to progress in the general curriculum (for a preschool child, to participate in appropriate activities). Yes___ No___</p> <p>d. The assessment tools and strategies used provide relevant information that directly assist persons in determining the educational needs of the child; Yes ___ No ___</p> <p>e. Any standardized tests that are given to a child:</p> <p>1) have been validated for the specific purpose for which they are used; and</p> <p>2) are administered by trained personnel in accordance with instructions provided by the producer of the tests.</p> <p>(Nonstandardized tests administered by qualified personnel may be used to assist in determining whether the child is a child with a disability and the contents of the child's IEP.) Yes ___ No ___</p> <p>f. When an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions is included in the evaluation report. Yes___ No___</p>	<p>___ Testing/evaluation materials</p> <p>___ Evaluator interviews</p> <p>___ Interpreter interviews</p> <p>___ Qualifications of evaluators</p> <p>___ Parent input</p> <p>___ Student input</p> <p>___ Eligibility minutes</p> <p>___ Eligibility components</p> <p>___ Policies and procedures</p> <p>___ Other _____</p>
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<p>g. Tests and other evaluation materials include those tailored to assess specific areas of educational need and are not merely those, which are designed to provide a single general intelligence quotient.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>h. Tests are selected and administered so as to best ensure that if a test is administered to a child with impaired sensory, motor, or communication skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, motor, or communication skills (except where those skills are the factors that the test purports to measure).</p> <p style="text-align: center;">Yes ____ No ____</p> <p>i. The evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>j. Technically sound instruments are used that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>k. No single procedure is used as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	
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Comment: _____

<p>22. The LEA has procedures to ensure that if an evaluation requires assessments in more than one area relating to the suspected disability, a group of persons, including at least one teacher or specialist with knowledge in the area of suspected disability, completes the assessments.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Dates of referral</p> <p>____ Evaluation dates</p> <p>____ Eligibility minutes</p> <p>____ Parent's signature</p> <p>____ Procedures and policies</p> <p>____ Other _____</p>
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Comment: _____

<p>23. For a child suspected of having a specific learning disability, the evaluation includes an observation of academic performance in the regular classroom by at least one team member other than the child's regular teacher. (For a child less than school age or out of school, a team member observes the child in an environment appropriate for a child of that age.)</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>__ Observation report</p> <p>__ Eligibility minutes</p> <p>__ Other _____</p>
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Comment: _____

<p>24. Each child is assessed by a qualified professional in all areas relating to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, motor abilities, and adaptive behavior.</p> <p>Yes ____ No ____</p> <p>a. The hearing of each child suspected of having a disability is screened during the eligibility process prior to initial determination of eligibility for special education and related services.</p> <p>Yes ____ No ____</p> <p>b. A complete audiological assessment, including tests which will assess the inner and middle ear functioning, is performed on each child who is hearing impaired or deaf or who fails two hearing screening tests.</p> <p>Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>__ Testing/evaluation materials</p> <p>__ Evaluator interviews</p> <p>__ Interpreter interviews</p> <p>__ Qualifications of evaluators</p> <p>__ Parent input</p> <p>__ Student input</p> <p>__ Eligibility minutes</p> <p>__ Eligibility components</p> <p>__ Policies and procedures</p> <p>__ Other _____</p>
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Comment: _____

<p>25. A written copy of the evaluation report is provided to the parent(s). The report is made available to the parent(s) no later than two business days before the meeting to determine eligibility.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>__ LEA policy and procedures</p> <p>__ Eligibility minutes</p> <p>__ IEPs</p> <p>__ Other _____</p>
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Comment: _____

26. Reevaluations occur when conditions warrant, at the request of the child's parent(s) or teacher(s), or at least once every three years.		<input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> Teacher interviews <input type="checkbox"/> Reevaluations <input type="checkbox"/> Eligibility minutes <input type="checkbox"/> Other _____
Is the locality meeting the requirement?	Yes _____ No _____	
Are there any concerns?	Yes _____ No _____	

Comment: _____

27. Evaluations, including reevaluations, are completed within 65 business days of receipt of the referral by the special education administrator or designee.		<input type="checkbox"/> Testing/evaluation materials <input type="checkbox"/> Evaluator interviews <input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> Eligibility minutes <input type="checkbox"/> Eligibility components <input type="checkbox"/> Referral/ eligibility dates <input type="checkbox"/> Other _____
Is the locality meeting the requirement?	Yes _____ No _____	
Are there any concerns?	Yes _____ No _____	

Comment: _____

8 VAC 20-80-56 ELIGIBILITY p. 27

<p>28. The decision regarding eligibility for special education and related services is made:</p> <p>a. within 65 business days after the referral for evaluation is received for an initial evaluation; Yes ____ No ____</p> <p>b. no later than the third anniversary of the date the child was last found eligible for special education and related service; or Yes ____ No ____</p> <p>c. within 65 business days after the parent(s) are notified of the decision not to reevaluate. Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Testing/evaluation materials ____ Evaluator interviews ____ Parent input ____ Student input ____ Eligibility minutes ____ Eligibility components ____ Referral/ eligibility dates ____ Other _____</p>
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Comment: _____

<p>29. Upon completing the administration of tests and other evaluation materials or after determining that additional data are not needed, a group of qualified professionals and the parent(s) determines whether the child is or continues to be a child with a disability. The group includes, but is not limited to:</p> <p>a. LEA personnel representing the disciplines providing the assessments; Yes ____ No ____</p> <p>b. the special education administrator or designee; Yes ____ No ____</p> <p>c. the parent(s) of the child; Yes ____ No ____</p> <p>d. at least one LEA representative who assessed or observed the child; Yes ____ No ____</p> <p>e. in the case of a child suspected of having a learning disability, the group includes:</p> <p>1) a regular education teacher of the child or a teacher qualified to teach a child of that age; and 2) a person qualified to conduct diagnostic examinations of children. Yes ____ No ____</p> <p>f. if the group is an IEP team, the composition of the group meets the above requirements, and notice requirements are also met. Yes ____ No ____</p>	<p>____ Committee signatures on minutes ____ Committee interviews ____ Parent input ____ Administrator input ____ IEPs ____ Other _____</p>
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<p>c. The written summary is maintained in the child's scholastic record.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>d. The summary of the group's essential deliberations is forwarded to the IEP team.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	
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Comment: _____

<p>33. The LEA obtains parental consent for the initial eligibility determination.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Eligibility minutes</p> <p>____ Consent form</p> <p>____ Student records</p> <p>____ Eligibility committee interviews</p> <p>____ Parent input</p> <p>____ Other _____</p>
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Comment: _____

<p>34. The LEA provides a copy of the documentation of the determination of eligibility to the parent(s).</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Eligibility minutes</p> <p>____ Student records</p> <p>____ Eligibility committee interviews</p> <p>____ Parent input</p> <p>____ Other _____</p>
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Comment: _____

<p>35. For a child suspected of having a learning disability, the documentation of the group's determination of eligibility also includes statements of:</p> <p>a. whether the child has a specific learning disability;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>b. the basis for making the determination;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>c. the relevant behavior noted during the observation of the child;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>d. the relationship of that behavior to the child's academic functioning;</p> <p style="text-align: center;">Yes ____ No ____</p>	<p>____ Statements in minutes</p> <p>____ LD teacher interviews</p> <p>____ Parent input</p> <p>____ Eligibility committee interviews</p> <p>____ Other _____</p>
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<p>e. the educationally relevant medical findings, if any;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>f. whether there is a severe discrepancy between achievement and ability that is not correctable without special education and related services; and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>g. the determination of the group concerning the effect of any environmental, cultural, or economic disadvantage.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	
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Comment: _____

<p>36. Children with disabilities transferring from another Virginia LEA are provided services consistent with the existing IEP of the former LEA with consent of the parent(s), or a new IEP is developed for the child.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Transfer IEPs</p> <p>____ Written parent consent</p> <p>____ Placements</p> <p>____ Other _____</p>
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Comment: _____

<p>37. When a child with a disability transfers from another state and the LEA accepts the most recent eligibility determination and adopts the most recent evaluation, the LEA:</p> <p>a. provides prior notice to parent(s); and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>b. serves the child consistent with the IEP, provided the IEP meets requirements and parental consent has been obtained; or</p> <p style="text-align: center;">Yes ____ No ____</p> <p>c. conducts an IEP meeting to develop a new IEP or to revise the IEP within 30 calendar days after the determination to accept the evaluation and eligibility.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Transfer IEPs</p> <p>____ Written parent consent</p> <p>____ Placements</p> <p>____ Other _____</p>
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Comment: _____

<p>38. When a student transfers in from another state and the LEA does not adopt the evaluation or does not receive a copy of the evaluation, the LEA:</p> <p>a. provides proper notice; Yes ____ No ____</p> <p>b. conducts an evaluation (During the evaluation the child receives services as in the existing IEP); and Yes ____ No ____</p> <p>c. informs the parent(s) when it does not implement sections of the transfer IEP that do not meet requirements. Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Transfer IEPs ____ Written parent consent ____ Placements ____ Other _____</p>
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Comment: _____

8 VAC 20-30-58 TERMINATION OF SPECIAL EDUCATION and RELATED SERVICES p. 29

<p>39. The IEP team terminates the child's eligibility for special education and related services.</p> <p>a. Termination of special education services occurs following an evaluation when the team determines that the child is no longer a child with a disability who needs special education and related services and parental consent is secured; Yes ____ No ____</p> <p>b. When appropriate, a related service is terminated during an IEP meeting without determination that the child is no longer a child with a disability eligible for special education and related services, and parental consent is secured (The IEP team must include personnel representing the related service disciplines in person, by telephone, or by other similar means) and; Yes ____ No ____</p> <p>c. When the parent(s) revoke consent for the child to continue to receive special education and related services, the LEA follows procedures for determining eligibility to terminate the child's eligibility or uses other measures to ensure that parental revocation of consent will not result in the withdrawal of FAPE for the child. Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Parent input ____ Student input ____ Eligibility minutes ____ Parental consent ____ Parental request ____ IEP minutes ____ Resolution methods ____ Other _____</p>
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Comment: _____

8 VAC 20-80-60 FREE APPROPRIATE PUBLIC EDUCATION (FAPE) p. 30

A. Age of Eligibility

<p>40. FAPE is available to all children with disabilities who need special education and related services, aged two to 21, inclusive, residing within the LEA's jurisdiction, including children who are advancing from grade to grade or who have been suspended or expelled from school, and:</p> <p style="text-align: center;">Yes ____ No ____</p> <p>a. services provided address all of the child's identified special education and related services needs; and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>b. services and placement needs are based on the child's unique needs and not on the child's disability.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Child count</p> <p>____ Class rosters</p> <p>____ No waiting lists</p> <p>____ Parent input</p> <p>____ IEPs</p> <p>____ Other _____</p>
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Comment: _____

B. Program Options

<p>41. Steps are taken to ensure that children with disabilities have available to them the variety of educational programs and services available to non-disabled children in the area served by the LEA, including extracurricular services and activities.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ IEPs</p> <p>____ Club and team rosters</p> <p>____ Class rosters</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Teacher interviews</p> <p>____ Other _____</p>
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Comment: _____

C. Residential Placement

<p>42. When placement in a public or private residential program is necessary to provide special education and related services to a child with a disability, the program is provided at no cost to the parent(s), including non-medical care and room and board.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Evidence of payments</p> <p>____ Parental reimbursements</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Teacher input</p> <p>____ Contracts</p> <p>____ IEPs</p> <p>____ Other _____</p>
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Comment: _____

D. Proper Functioning of Hearing Aids

43. The LEA ensures that the hearing aids worn in school by children with hearing impairments, including deafness, are functioning properly.		<input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> Teacher interviews <input type="checkbox"/> Nurse interviews <input type="checkbox"/> Maintenance logs <input type="checkbox"/> IEPs <input type="checkbox"/> Other _____
Is the locality meeting the requirement?	Yes _____ No _____	
Are there any concerns?	Yes _____ No _____	

Comment: _____

E. Assistive Technology

44. The LEA ensures that assistive technology devices or services, or both, are available to a child with a disability if required as part of the child's special education, related services, or supplementary aids and services.		<input type="checkbox"/> IEPs <input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> Parent signatures <input type="checkbox"/> Other _____
Is the locality meeting the requirement?	Yes _____ No _____	
Are there any concerns?	Yes _____ No _____	

Comment: _____

F. Transportation

45. Transportation is provided to a child with a disability placed in an education program, including private and special education day or residential placements, by the local school division at no cost if transportation is necessary to enable the child to benefit from educational programs and opportunities.		<input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> IEPs <input type="checkbox"/> Payment records <input type="checkbox"/> Other _____
Is the locality meeting the requirement?	Yes _____ No _____	
Are there any concerns?	Yes _____ No _____	

Comment: _____

G. Nonacademic and Extracurricular Services and Activities

46. Steps are taken to ensure that nonacademic and extracurricular services and activities are provided in a manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities.		<input type="checkbox"/> IEPs <input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> Teacher interviews <input type="checkbox"/> Class rosters <input type="checkbox"/> School, program, and classroom accessibility <input type="checkbox"/> Other _____
Is the locality meeting the requirement?	Yes _____ No _____	
Are there any concerns?	Yes _____ No _____	

Comment: _____

H. Physical Education

47. Physical education, specially designed if necessary, is available to every child with a disability as part of a free appropriate public education.		<input type="checkbox"/> IEPs <input type="checkbox"/> Class rosters <input type="checkbox"/> PE teacher interviews <input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> Other _____
Is the locality meeting the requirement?	Yes ____ No ____	
Are there any concerns?	Yes ____ No ____	

Comment: _____

I. Extended School Year Services

48. Extended school year services are available as necessary to provide a free appropriate public education to children with disabilities.		<input type="checkbox"/> IEPs <input type="checkbox"/> Policies and procedures <input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> Administrator input <input type="checkbox"/> Other _____
Yes ____ No ____		
a. Extended school year services are provided when the IEP team determines the individual need.	Yes ____ No ____	
b. The LEA does not limit extended school year services to particular categories of disability.	Yes ____ No ____	
c. The LEA does not unilaterally limit the type, amount, or duration of extended school year services.	Yes ____ No ____	
Is the locality meeting each part of the requirement?	Yes ____ No ____	
Are there any concerns?	Yes ____ No ____	

Comment: _____

J. Children with Disabilities in Public Charter Schools

49. Children with disabilities who attend public charter schools are served by the local school division in the same manner as children with disabilities in its other schools.		<input type="checkbox"/> IEPs <input type="checkbox"/> Policies and procedures <input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> Administrator input <input type="checkbox"/> Other _____
Is the locality meeting the requirement?	Yes ____ No ____	
Are there any concerns?	Yes ____ No ____	

Comment: _____

K. Length of School Day

50. All school-aged children with disabilities are provided a school day comparable in length to the day provided to non-disabled children, unless a child's IEP specifies otherwise.		<input type="checkbox"/> Class schedules <input type="checkbox"/> IEPs <input type="checkbox"/> Bus schedules <input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> Teacher input <input type="checkbox"/> Other _____
Is the locality meeting the requirement?	Yes ____ No ____	
Are there any concerns?	Yes ____ No ____	

Comment: _____

8 VAC 20-80-62 INDIVIDUALIZED EDUCATION PROGRAM (IEP) p. 31

A. Responsibility

<p>51. The LEA ensures that an IEP is developed and implemented for each child with a disability served by that LEA, including a child placed in a private special education school by a local school division or a noneducational placement by a Comprehensive Services Act team that includes the school division. (The local school division's responsibility is limited to special education and related services.)</p> <p>Is the locality meeting the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Program data (i.e., rates of parent/student attendance) ____ IEP signatures ____ Committee interviews ____ Copies of IEP meetings notices ____ Other _____</p>
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Comment: _____

B. Accountability

<p>52. The LEA ensures that an IEP:</p> <p>a. is in effect at the beginning of each school year for each child with a disability; Yes ____ No ____</p> <p>b. in effect before special education and related services are provided to an eligible child, including children who transfer into the LEA; and Yes ____ No ____</p> <p>c. is developed within 30 calendar days of the date of the initial determination that the child needs special education and related services, and is implemented as soon as possible following the IEP meeting. Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ IEPs ____ Committee interviews ____ IEP composition ____ Eligibility date ____ Tracking log ____ Other _____</p>
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Comment: _____

<p>53. The LEA ensures that:</p> <p>a. the child's IEP is accessible to each regular education teacher, special education teacher, related service provider, and other service provider who is responsible for its implementation; and Yes ____ No ____</p> <p>b. teachers and providers are informed of:</p> <p>1) their specific responsibilities related to implementing the child's IEP; and 2) the specific accommodations, modifications and supports that must be provided for the child in accordance with the IEP. Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Access logs/record disclosure forms ____ Teacher interviews ____ Administrator interviews ____ IEPs ____ Location of records ____ Correspondences ____ Other _____</p>
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Comment: _____

54. The LEA initiates and conducts meetings to develop, review and revise the IEP of a child with a disability.		___ IEPs ___ Committee interviews ___ IEP composition ___ Other _____
Is the locality meeting the requirement? Are there any concerns?	Yes ___ No ___ Yes ___ No ___	

Comment: _____

55. The LEA ensures that the IEP team:		___ IEPs ___ Committee interviews ___ IEP composition ___ Other _____
a. reviews the child's IEP periodically, but not less than annually, to determine whether the annual goals are being achieved; and <div style="text-align: center;">Yes ___ No ___</div>		
b. revises its provisions, as appropriate, to address:		
1) any lack of expected progress toward the annual goals and in the general curriculum, if appropriate; <div style="text-align: center;">Yes ___ No ___</div>		
2) the results of any reevaluation conducted; <div style="text-align: center;">Yes ___ No ___</div>		
3) information about the child provided to or by the parent(s); <div style="text-align: center;">Yes ___ No ___</div>		
4) the child's anticipated needs, or other matters. <div style="text-align: center;">Yes ___ No ___</div>		
Is the locality meeting each part of the requirement? Are there any concerns?	Yes ___ No ___ Yes ___ No ___	

Comment: _____

56. The LEA provides special education and related services to a child with a disability in accordance with the IEP.		___ Parent input ___ Student input ___ Teacher interviews ___ Observations ___ IEPs ___ Other _____
Is the locality meeting the requirement? Are there any concerns?	Yes ___ No ___ Yes ___ No ___	

Comment: _____

C. IEP Team

<p>57. The LEA ensures that the IEP team includes:</p> <p>a. the parent(s) of the child;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>b. at least one regular education teacher of the child (if the child is, or may be participating in the regular education environment);</p> <p style="text-align: center;">Yes ____ No ____</p> <p>c. at least one special education teacher of the child, or if appropriate, a special education provider;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>d. a representative of the school division who is qualified to provide or supervise the provision of special education, and is knowledgeable about the general curriculum and about the availability of resources;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>e. an individual who can interpret the instructional implications of evaluation results;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>f. at the discretion of the parent(s) or LEA, other individuals who have knowledge or special expertise regarding the child, including related service personnel;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>g. if appropriate, the child; and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>h. for children who are in the custody of a local social services or other child welfare agency, the child's caseworker. (The caseworker does not assume the role of the parent, and if the caseworker is unable to attend the meeting as scheduled, the meeting is held without the caseworker.)</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Program data(i.e., rates of parent/student attendance)</p> <p>____ IEP signatures</p> <p>____ Committee interviews</p> <p>____ Copies of IEP meetings notices</p> <p>____ Other _____</p>
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Comment: _____

<p>58. If a purpose of the meeting will be the consideration of the student's transition services needs, the needed transition services, or both, the LEA:</p> <p>a. invites the student of any age to attend the meeting;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>b. takes other steps to ensure that the student's preferences and interests are considered if the student does not attend the meeting; and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>c. invites a representative of any other agency that is likely to be responsible for providing or paying for transition services. (If an agency invited to send a representative to a meeting does not do so, the LEA takes other steps to obtain participation of the other agency in planning of transition services.)</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Program data (i.e., rates of parent/student attendance)</p> <p>____ IEP signatures</p> <p>____ Committee interviews</p> <p>____ Copies of IEP meetings notices</p> <p>____ Other _____</p>
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Comment: _____

D. Parent Participation

<p>59. The LEA takes steps to ensure that one or both parent(s) of the child with a disability are present at each IEP meeting or are afforded the opportunity to participate, including:</p> <p>a. notifying the parent(s) early enough to ensure that they will have an opportunity to attend; and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>b. scheduling the meeting at a mutually agreed on time and place.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Program data (i.e., rates of parent/student attendance)</p> <p>____ IEP signatures</p> <p>____ Committee interviews</p> <p>____ Copies of IEP meetings notices</p> <p>____ Other _____</p>
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Comment: _____

<p>60. Notice regarding any IEP meeting:</p> <p>a. indicates the purpose, time, date and location of the meeting, and who will be in attendance;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>b. informs parent(s) that at the discretion of the parent(s) or LEA, other individuals who have knowledge or special expertise regarding the child may be invited to participate; and</p> <p style="text-align: center;">Yes ____ No ____</p>	<p>____ Parent input</p> <p>____ Student input</p> <p>____ Teacher interviews</p> <p>____ IEP meeting notices</p> <p>____ IEPs</p> <p>____ Other _____</p>
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<p>c. beginning at age 14 or younger, if appropriate, if the purpose of the meeting is the consideration of transition services, the notice:</p> <p>1) indicates that a purpose of the meeting will be the development of a statement of transition service needs or needed transition services for the student; and Yes ____ No ____</p> <p>2) indicates that the LEA will invite the student. Yes ____ No ____</p> <p>d. beginning at age 16 or younger, if appropriate, (in addition to c.1 and c.2 above), the notice identifies any other agency that will be invited to send a representative. Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	
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Comment: _____

<p>61. When neither parent can attend the IEP meeting, the LEA uses various methods to ensure parent participation in the IEP meeting and there is a record of attempts to arrange a mutually agreed on time and place for the IEP meeting if the LEA is unable to convince the parent(s) to attend the meeting.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Parent input</p> <p>____ Contact log</p> <p>____ IEPs</p> <p>____ IEP meeting notice</p> <p>____ Other _____</p>
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Comment: _____

<p>62. The LEA takes whatever action is necessary to ensure that the parent(s) understand the proceedings at the IEP meeting, including arrangements for an interpreter for parent(s) with deafness or whose native language is other than English.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Parent input</p> <p>____ Student input</p> <p>____ Use of qualified interpreters</p> <p>____ Use of translators</p> <p>____ IEPs</p> <p>____ Eligibility minutes</p> <p>____ Other _____</p>
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Comment: _____

<p>63. The LEA permits the use of audio recording devices at IEP meetings and maintains a copy of the recording as part of the child's educational record.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Parent input</p> <p>____ Student input</p> <p>____ Use of qualified interpreters</p> <p>____ Use of translators</p> <p>____ IEPs</p> <p>____ Eligibility minutes</p> <p>____ Other _____</p>
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<p>64. At the IEP meeting, the team provides parent(s) a written description of the factors that will be considered during the meeting.</p>	<p> <input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> IEPs and agenda <input type="checkbox"/> Other _____ </p>
<p>Is the locality meeting the requirement? Yes _____ No _____</p>	
<p>Are there any concerns? Yes _____ No _____</p>	

65. The LEA gives parent(s) a copy of the child's IEP at no cost to the parent(s).		<input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> Policies and procedures <input type="checkbox"/> Other _____
Is the locality meeting the requirement?	Yes _____ No _____	
Are there any concerns?	Yes _____ No _____	

E. Development, Review and Revision of the IEP

43

<p>h. in the case of a child who is blind or visually impaired, provides for instruction in Braille and the use of Braille for the child unless the IEP team determines after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille) that instruction in Braille or the use of Braille is not appropriate for the child; and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>i. in the case of a child who is deaf or hard of hearing, considers the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	
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Comment: _____

<p>67. The regular education teacher, as a member of the IEP team, participates in the development, review and revision of the child's IEP including assisting in the determination of:</p> <ul style="list-style-type: none"> • appropriate positive behavioral interventions and strategies; and • supplementary aids and services, accommodations, program modifications, or supports for school personnel that will be provided for the child. <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Committee interviews ____ IEPs ____ IEP minutes ____ IEP signatures ____ Other _____</p>
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Comment: _____

<p>68. The LEA provides the parent(s) with prior written notice of the agency's proposals or refusals or both regarding the child's educational placement or provision of FAPE when the IEP team cannot reach consensus.</p> <p>Is the locality meeting the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ IEP ____ Prior written notice ____ Parent input ____ Other _____</p>
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Comment: _____

F. Content of the IEP

<p>69. The IEP for each child with a disability includes:</p> <p>a. a statement of the child's present levels of educational performance including how the child's disability affects involvement and progress in the general curriculum or for preschool child, as appropriate, how the disability affects the child's participation in appropriate activities;</p> <ol style="list-style-type: none"> 1) the statement is written in objective measurable terms, to the extent possible and test scores, if appropriate, are self-explanatory or an explanation is included; and 2) the present level of performance relates to the other components of the IEP; Yes ____ No ____ <p>b. a statement of measurable annual goals, including benchmarks or short-term objectives, related to</p> <ol style="list-style-type: none"> 1) meeting the child's needs that result from the child's disability to enable the child to be involved in and progress in the general curriculum or for the preschool children, as appropriate, to participate in appropriate activities; and 2) meeting each of the child's other educational needs that result from the child's disability; Yes ____ No ____ <p>c. a statement of special education, related services (i.e., OT, PT, transportation, psychological counseling, other) and supplementary aids, and services to be provided for the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided for the child;</p> <ol style="list-style-type: none"> 1) to advance appropriately toward attaining the annual goals; 2) to be involved and progress in the general curriculum and to participate in the extracurricular and other nonacademic activities; and 3) to be educated and participate with other children with disabilities and children without disabilities in academic, nonacademic, and extracurricular activities; Yes ____ No ____ <p>d. an explanation of the extent, if any, to which the child will not participate with children without disabilities in the regular class and activities; Yes ____ No ____</p> <p>e. a statement of any individual accommodations or modifications in the administration of state or division-wide assessments of student achievement that are needed in order for the child to participate in such assessments; Yes ____ No ____</p> <p>f. if the IEP team determines that the child will not participate in a particular state or division-wide assessment of achievement, a statement of:</p> <ol style="list-style-type: none"> 1) why that assessment is not appropriate for the child; 2) how the child will be assessed, including participation in the alternate assessment for those students who meet the criteria; and 3) how the child's nonparticipation in the state or division-wide assessment will impact the child's promotion or course; graduation with a standard, advanced studies, or modified standard diploma; or other matters; Yes ____ No ____ 	<p>____ LEA policy and procedures</p> <p>____ IEPs</p> <p>____ IEP team interviews</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Other _____</p>
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<p>70. Transition services, beginning at age 16 (or younger if determined appropriate by the IEP team), are based on the individual student's needs, taking into account the student's preferences and interests; and include:</p> <ul style="list-style-type: none"> • instruction; • related services; • community experiences; • the development of employment and other post-school adult living objectives; and • if appropriate, the acquisition of daily living skills and a functional vocational evaluation. <p>Is the locality meeting the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Active student IEPs ____ Other _____</p>
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Comment: _____

G. Agency Responsibility for Transition Services

<p>71. When a participating public agency fails to provide transition services described in the IEP, the LEA reconvenes the IEP team to identify alternative strategies to meet the transition objectives for the student.</p> <p>Is the locality meeting the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Committee interviews ____ IEPs ____ Contacts with private schools ____ Correspondence ____ Other _____</p>
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Comment: _____

8 VAC 20-80-64 LEAST RESTRICTIVE ENVIRONMENT (LRE) p. 36

A. General LRE Requirements

<p>72. The LEA ensures:</p> <p>a. that to the maximum extent appropriate, children with disabilities, including those in public or private institutions or other care facilities, are educated with children without disabilities; and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>b. that special classes, separate schooling, or other removal of children with disabilities from the regular education environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policies</p> <p>____ Service delivery models</p> <p>____ IEPs</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Teacher interviews</p> <p>____ Other _____</p>
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Comment: _____

B. Continuum of Alternative Placements

<p>73. A continuum of alternative placements is available to meet the needs of children with disabilities, that includes:</p> <p>a. the alternative placements listed in the definition of special education (instruction in regular classes, special classes, special schools, home-based instruction, and instruction in hospitals and institutions); and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>b. the provision for supplementary services (e.g., resource room or services or itinerant instruction) to be provided in conjunction with regular class placement.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>c. The LEA documents all alternatives considered and the rationale for choosing the selected placement.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policies</p> <p>____ Service delivery models</p> <p>____ IEPs</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Teacher interviews</p> <p>____ Other _____</p>
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Comment: _____

<p>74. There is no single model for the delivery of services to any specific population or category of children with disabilities in providing a continuum of alternative placements and all placement decisions are based on the individual needs of each child.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Program data (i.e., placement rates by disability)</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Service delivery models</p> <p>____ Eligibility minutes</p> <p>____ IEPs</p> <p>____ Other _____</p>
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Comment: _____

75. All children with disabilities are served in a program with age-appropriate peers unless it can be shown that for a particular child with a disability the alternative placement is appropriate as documented by the IEP.	___ Class rosters ___ Parent input ___ Student input ___ Teacher interviews ___ Ages of students in school ___ Other _____
Is the locality meeting the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____	

Comment: _____

C. Placements

76. The educational placement for each child, including a preschool child with a disability, is: <ul style="list-style-type: none"> • made by the IEP team in conformity with the least restrictive environment; • determined at least annually; • based on the child's IEP; and • as close as possible to the child's home. 	___ IEPs ___ Placements ___ Other _____
Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____	

Comment: _____

77. In determining the educational placement of a child with a disability, including a preschool child with a disability, the LEA ensures that: <p>a. each child with a disability is educated in the school that the child would normally attend if not disabled unless the IEP requires some other arrangement; Yes ____ No ____</p> <p>b. any potential harmful effects on the child or on the quality of services which might result from a particular educational placement were considered in selecting the least restrictive environment. Yes ____ No ____</p> <p>c. a child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum. Yes ____ No ____</p>	___ Program data (i.e., placement rates by disability/school) ___ IEPs ___ IEP Team meeting minutes ___ Committee interviews ___ Justification statements ___ Other _____
Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____	

Comment: _____

78. Home-based instruction is available to children whose IEPs require the delivery of services in the home or other agreed-upon setting.		<input type="checkbox"/> IEPs <input type="checkbox"/> IEP Team meeting minutes <input type="checkbox"/> Committee interviews <input type="checkbox"/> Justification statements <input type="checkbox"/> Other _____
Is the locality meeting the requirement?	Yes ____ No ____	
Are there any concerns?	Yes ____ No ____	

Comment: _____

79. Homebound instruction is available to students eligible for special education and related services who are confined for periods that would prevent normal school attendance based upon certification of need by a licensed physician or clinical psychologist; and		<input type="checkbox"/> IEPs <input type="checkbox"/> IEP Team meeting minutes <input type="checkbox"/> Committee interviews <input type="checkbox"/> Justification statements <input type="checkbox"/> Other _____
<p style="text-align: center;">Yes ____ No ____</p>		
<p>The IEP team revises the IEP, as appropriate, and determines the delivery of homebound services, including the number of hours of services.</p>		
<p style="text-align: center;">Yes ____ No ____</p>		
Is the locality meeting each part of the requirement?	Yes ____ No ____	
Are there any concerns?	Yes ____ No ____	

Comment: _____

8 VAC 20-80-65 PLACEMENT OF CHILDREN AT THE VSDB-Staunton or VSDBMD-Hampton p. 37

<p>80. When the local school division places a student in the state schools, the local school division:</p> <p>a. ensures compliance with special education requirements; and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>b. provides transportation for day students.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ IEPs</p> <p>____ IEP Team meeting minutes</p> <p>____ Committee interviews</p> <p>____ Justification statements</p> <p>____ Other _____</p>
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Comment: _____

8 VAC 20-80-66 PRIVATE SCHOOL PLACEMENTS p. 37

<p>81. When a child with a disability placed in a private residential school under Comprehensive Services Act (CSA) transfers to a new LEA, the LEA reviews and adopts or revises and implements the IEP within 30 calendar days of receipt of written notification of transfer.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Transfer IEPs</p> <p>____ Written parent consent</p> <p>____ Placements</p> <p>____ Other _____</p>
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Comment: _____

<p>82. When a child with a disability is placed by the local school division or Comprehensive Services Act team that includes the school division in a private special education school or facility, the local school division ensures compliance with requirements regarding procedural safeguards, IEPs, assessments, reevaluation and termination of services and participation in state and division-wide assessments.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Parent input</p> <p>____ Student input</p> <p>____ Administrator input</p> <p>____ IEPs</p> <p>____ Contacts with private schools</p> <p>____ Correspondence</p> <p>____ Other _____</p>
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Comment: _____

<p>83. Before the local school division places a child with a disability in a private school or facility, the local school division:</p> <ul style="list-style-type: none"> • initiates and conducts a meeting to develop an IEP for the child; and • ensures that a representative of a private special education school or facility attends the meeting. (If the representative cannot attend, the local school division uses other methods to ensure participation by a private school or facility.) 	<p>____ Parent input</p> <p>____ Student input</p> <p>____ Administrator interviews</p> <p>____ IEPs</p> <p>____ Contacts</p> <p>____ Correspondence</p> <p>____ Other _____</p>
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Is the locality meeting the requirement?	Yes ____ No ____	
Are there any concerns?	Yes ____ No ____	

Comment: _____

<p>84. When the private school or facility, at the discretion of the local school division, reviews and revises the child's IEP, the local school division ensures that the parent(s) and a representative from the local school division:</p> <ul style="list-style-type: none"> • are involved in any decision affecting the child's IEP; • agree to any proposed changes in the program before those changes are implemented; and • are involved in any meetings that are held regarding any reevaluation. 	<p>____ Correspondence</p> <p>____ IEPs</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Administrator interviews</p> <p>____ Other _____</p>
<p>Is the locality meeting the requirement?</p> <p>Are there any concerns?</p>	<p>Yes ____ No ____</p> <p>Yes ____ No ____</p>

Comment: _____

<p>85. Children eligible for special education who are placed by parent(s) in a private school, home instructed or home tutored are provided special education and related services in accordance with a services plan to the extent consistent with the local school division's annual determination of services to be provided to private school students.</p>	<p>____ IEP notices</p> <p>____ IEPs</p> <p>____ Committee interviews</p> <p>____ Other _____</p>
<p>Is the locality meeting the requirement?</p> <p>Are there any concerns?</p>	<p>Yes ____ No ____</p> <p>Yes ____ No ____</p>

Comment: _____

<p>86. Before the local school division makes decisions with respect to services to be provided to eligible private school children, the local school division consults with representatives of private school children with disabilities to determine:</p> <ul style="list-style-type: none"> • which children will receive services; • what services will be provided; • how and where the services will be provided; and • how the services provided will be evaluated. 	<p>____ IEP notices</p> <p>____ IEPs</p> <p>____ Committee interviews</p> <p>____ Other _____</p>
<p>Is the locality meeting the requirement?</p> <p>Are there any concerns?</p>	<p>Yes ____ No ____</p> <p>Yes ____ No ____</p>

Comment: _____

8 VAC 20-80-68 DISCIPLINE p. 41

<p>87. Disciplinary removals of students with disabilities from their current placements by school personnel, including removals resulting in changes in the placement, are applied to the same extent as for children without disabilities.</p> <p>Is the locality meeting the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures ____ Discipline records ____ Program Data (i.e., suspension rates Students with Disabilities/Students without Disabilities ____ IEPs ____ Parent input ____ Student input ____ Teacher interviews ____ Administrator interviews ____ Other _____</p>
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Comment: _____

<p>88. When school personnel remove a student with a disability from the student's current educational setting:</p> <p>a. each short-term removal for any violation of school rules does not exceed 10 consecutive school days. Additional short-term removals during the same school year for separate incidents of misconduct are applied only when it is determined that the removals do not constitute a change in placement, and each additional removal does not exceed 10 consecutive school days; and Yes ____ No ____</p> <p>b. each removal for dangerous behavior does not exceed 10 consecutive school days, unless a change in placement to an appropriate interim alternative educational setting, not to exceed 45 calendar days, is ordered by a hearing officer or a change is ordered through court proceedings or the parent(s) consents through the IEP process. Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures ____ Discipline records ____ Program Data (i.e., suspension rates Students with Disabilities/Students without Disabilities ____ IEPs ____ Parent input ____ Student input ____ Teacher interviews ____ Administrator interviews ____ Other _____</p>
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Comment: _____

<p>89. For purposes of long-term removals of a student with a disability from the student's current educational placement, a change in placement occurs if:</p> <p>a. the removal is for more than 10 consecutive school days; or Yes ____ No ____</p> <p>b. a series of short-term removals constitutes a pattern because the removals cumulate to more than 10 school days in a year and because of factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another. Yes ____ No ____</p>	<p>____ LEA policy and procedures ____ Discipline records ____ IEPs ____ Parent input ____ Student input ____ Teacher interviews ____ Administrator interviews ____ Other _____</p>
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<p>c. If the student has a BIP before engaging in the behavior, the IEP team meets to review the plan and its implementation and to modify the plan and its implementation, as necessary, to address the behavior.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	
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Comment: _____

<p>92. If, subsequently, a child with a disability who has a behavior intervention plan and has been removed from the child's current placement for more than 10 school days, is subjected to a removal that does NOT constitute a change in placement, the LEA implements the following procedures:</p> <p>a. The IEP team members review the BIP and its implementation to determine if modifications are necessary. If at least one team member believes modifications are needed, the IEP team meets to modify the plan and its implementation, to the extent the team determines necessary; and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>b. The student is provided services to the extent necessary to enable the child to appropriately progress in the general curriculum and advance toward achieving IEP goals, as determined by school personnel in consultation with the child's special education teacher.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures</p> <p>____ Discipline records/BIPs</p> <p>____ IEPs</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Teacher interviews</p> <p>____ Administrator interviews</p> <p>____ Other _____</p>
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Comment: _____

<p>93. When the LEA contemplates a removal that constitutes a change in placement, including a removal to an interim alternative educational setting, the LEA:</p> <p>a. notifies the parent(s) of that decision and provides the parent(s) with the procedural safeguards notice not later than the date on which the decision to take the action is made; and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>b. convenes the IEP team and other qualified personnel immediately, if possible, but not later than 10 school days after the date on which the decision to take the action is made. The IEP team and other qualified personnel review the relationship between the student's disability and the behavior subject to the disciplinary action.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures</p> <p>____ Discipline records</p> <p>____ IEPs</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Teacher interviews</p> <p>____ Administrator interviews</p> <p>____ Other _____</p>
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Comment: _____

<p>94. In carrying out the manifestation determination review, the IEP team and other qualified personnel first consider, in terms of the behavior subject to the disciplinary action, all relevant information, including:</p> <ul style="list-style-type: none"> • evaluation and diagnostic results, including information supplied by the parent(s) of the student; • observations of the student; and • the student's IEP and placement. <p>Is the locality meeting the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures ____ Discipline records ____ Manifestation review minutes ____ IEPs ____ Parent input ____ Student input ____ Teacher interviews ____ Administrator interviews ____ Other _____</p>
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Comment: _____

<p>95. In concluding that a student's behavior is not a manifestation of the student's disability, the IEP team determines that all of the following standards are met:</p> <p>a. in relationship to the behavior subject to disciplinary action, the student's IEP and placement were appropriate, and the special education services, supplementary aids and services, and behavioral intervention strategies were provided consistent with the student's IEP and placement; Yes ____ No ____</p> <p>b. the student's disability did not impair the student's ability to understand the impact and consequences of the behavior subject to disciplinary action; and Yes ____ No ____</p> <p>c. the student's disability did not impair the ability of the student to control the behavior. Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures ____ Discipline records ____ IEPs ____ Parent input ____ Student input ____ Teacher interviews ____ Administrator interviews ____ Other _____</p>
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Comment: _____

<p>96. When conducting a manifestation determination review, if the IEP team and other qualified personnel determine that the manifestation standards are NOT met:</p> <p>a. the team concludes that the behavior is a manifestation of the student's disability; Yes ____ No ____</p>	<p>____ LEA policy and procedures ____ Discipline records ____ IEP Team meeting minutes ____ IEPs ____ Parent input ____ Student input ____ Teacher interviews ____ Administrator interviews ____ Other _____</p>
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<p>b. the student is removed from the student's educational placement, only through the IEP team process or through placement in an interim educational setting in accordance with regulations; and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>c. the IEP team develops or modifies strategies, including positive behavioral interventions and supports, to address the behavior.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>d. the IEP team takes immediate steps to remedy those deficiencies identified in the student's IEP or placement.</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	
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Comment: _____

<p>97. If it is found that the behavior is not a manifestation of the student's disability and disciplinary procedures used with nondisabled students are applied, the child continues to be provided with services to the extent that enables the child to appropriately progress in the general curriculum and advance toward IEP goals, as determined by the child's IEP team.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures</p> <p>____ Discipline records</p> <p>____ IEPs</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Teacher interviews</p> <p>____ Administrator interviews</p> <p>____ Procedural safeguards</p> <p>____ Other _____</p>
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Comment: _____

<p>98. When the public agency initiates disciplinary procedures applicable to all children, the agency ensures that the special education and disciplinary records of a child with a disability are transmitted for consideration by the person(s) making the final determination regarding disciplinary action.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures</p> <p>____ Discipline records</p> <p>____ IEPs</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Teacher interviews</p> <p>____ Administrator interviews</p> <p>____ Other _____</p>
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Comment: _____

<p>99. When a child who has not been determined eligible for special education and related services is subject to disciplinary measures, the LEA applies the same procedural safeguards as those applied to students who have been determined eligible if, prior to the behavior, one of the following has occurred:</p> <p>a. the parent has expressed concern in writing (unless the parent is illiterate or unable to communicate in writing) to school personnel that the student needs special education and related services;</p> <p style="text-align: center;">Yes ____ No ____</p>	<p>____ LEA policy and procedures</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Administrator interviews</p> <p>____ Teacher interviews</p> <p>____ Child Study member interviews</p> <p>____ Discipline records</p> <p>____ Other _____</p>
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<p>b. the behavior or performance of the student demonstrated the need for special education and related services;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>c. the parent has requested an evaluation to determine eligibility for special education and related services; or</p> <p style="text-align: center;">Yes ____ No ____</p> <p>d. a teacher of the student or school personnel has expressed concern about the behavior or performance of the student to the director of special education or to other personnel in accordance with the LEA's child find or special education referral system.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	
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Comment: _____

<p>100. If a request is made for an evaluation of a child during the time period in which the child is subject to disciplinary measures, the evaluation is conducted in an expedited manner, and the student remains in the educational placement determined by school personnel, which can include suspension or expulsion without educational services.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Discipline records</p> <p>____ IEPs</p> <p>____ Other _____</p>
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Comment: _____

<p>101. When reporting a crime committed by a child with a disability, the LEA ensures that copies of the child's special education and disciplinary records are transmitted (with written parental consent) for consideration by the appropriate authorities to whom it reports the crime.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures</p> <p>____ Discipline records</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Administrator input</p> <p>____ Law enforcement interview</p> <p>____ Letter of transmittal</p> <p>____ Other _____</p>
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Comment: _____

8 VAC 20-80-70 PROCEDURAL SAFEGUARDS p. 45

A. Opportunity to Examine Records

<p>102. The LEA establishes, maintains and implements procedural safeguards such that:</p> <p>a. parent(s) are provided an opportunity to inspect and review all education records with respect to the identification, evaluation, educational placement of the child and the provision of a free appropriate public education;</p> <p style="text-align: right;">Yes ____ No ____</p> <p>b. parent(s) are provided an opportunity to participate in meetings with respect to the identification, evaluation and educational placement of the child and the provision of a free appropriate public education to the child, including notifying the parents of the meeting early enough to participate in the meeting (notice requirements # 68 in IEP section); and</p> <p style="text-align: right;">Yes ____ No ____</p> <p>c. parent(s) are members of the IEP team or any CSA team that makes decisions on the educational placement of their child.</p> <p style="text-align: right;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures</p> <p>____ Student records</p> <p>____ IEPs</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Administrator input</p> <p>____ Complaint files</p> <p>____ Other _____</p>
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Comment: _____

B. Independent Educational Evaluation (IEE)

<p>103. The LEA provides the parent(s) of a child with a disability, upon request, information about where IEEs may be obtained and criteria for IEEs, including the location of the evaluation and qualifications of the examiner.</p> <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures</p> <p>____ Student records</p> <p>____ IEPs</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Administrator input</p> <p>____ Complaint files</p> <p>____ Other _____</p>
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Comment: _____

<p>104. When parent(s) disagree with an evaluation conducted by the LEA and request an independent educational evaluation at public expense, the local educational agency, without delay either:</p> <ul style="list-style-type: none"> • initiates a due process hearing to show that its evaluation is appropriate; or • ensures that an independent evaluation is provided at public expense, unless the LEA demonstrates in a hearing that the evaluation obtained by the parent does not meet local educational agency criteria. <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures</p> <p>____ Student records</p> <p>____ IEPs</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Administrator input</p> <p>____ Complaint files</p> <p>____ Other _____</p>
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Comment: _____

105. The LEA considers the results of any IEE that meets the LEA's criteria when making decisions regarding a free appropriate education for the child.		<input type="checkbox"/> LEA policy and procedures <input type="checkbox"/> Student records <input type="checkbox"/> IEPs <input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> Administrator input <input type="checkbox"/> Complaint files <input type="checkbox"/> Other _____
Is the locality meeting the requirement? Are there any concerns?	Yes ____ No ____ Yes ____ No ____	

Comment: _____

Prior Notice

106. Written notice is given to parent(s) of a child with a disability within a reasonable time before the LEA:		<input type="checkbox"/> LEA policy and procedures <input type="checkbox"/> Notice <input type="checkbox"/> Student records <input type="checkbox"/> IEPs <input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> Administrator input <input type="checkbox"/> Complaint files <input type="checkbox"/> Other _____
a. proposes to initiate or change the identification, evaluation, or educational placement of the child, (including graduation with a standard or advanced studies diploma) or the provision of a free appropriate public education for the child; or b. refuses to initiate or change the identification, evaluation, or educational placement of the child, or the provision of a free appropriate public education for the child.		
Is the locality meeting each part of the requirement? Are there any concerns?	Yes ____ No ____ Yes ____ No ____	

Comment: _____

107. The written notice includes:		<input type="checkbox"/> LEA policy and procedures <input type="checkbox"/> Notice <input type="checkbox"/> Student records <input type="checkbox"/> IEPs <input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> Administrator input <input type="checkbox"/> Complaint files <input type="checkbox"/> Other _____
a. a description of the action proposed or refused by the LEA; <div style="text-align: center;">Yes ____ No ____</div>		
b. an explanation of the LEA's proposal or refusal to take the action; <div style="text-align: center;">Yes ____ No ____</div>		
c. a description of any other options the local educational agency considered and the reasons for the rejection of those options; <div style="text-align: center;">Yes ____ No ____</div>		
d. a description of each evaluation procedure, test, record, or report the local educational agency used as a basis for the proposed or refused action; <div style="text-align: center;">Yes ____ No ____</div>		

<p>e. a description of any other factors that are relevant to the local educational agency's proposal or refusal;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>f. a statement that parent(s) of a child with a disability have protection under the procedural safeguards of this chapter, and if the notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained; and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>g. sources for the parent(s) to contact in order to obtain assistance in understanding the provisions of procedural safeguards.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	
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Comment: _____

<p>108. The written notice is written in language understandable to the general public, and provided in the native language of the parent(s) or other mode of communication used by the parent(s).</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures</p> <p>____ Notice</p> <p>____ Student records</p> <p>____ IEPs</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Administrator input</p> <p>____ Complaint files</p> <p>____ Other _____</p>
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Comment: _____

<p>109. When the native language or other mode of communication of the parent(s) is not a written language, the LEA takes steps to ensure that:</p> <p>a. the notice is translated orally or by other means to parent(s) in their native language or mode of communication;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>b. the parent(s) understand the content of the notice; and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>c. there is written evidence that the requirements of a and b above are met.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures</p> <p>____ Notice</p> <p>____ Student records</p> <p>____ IEPs</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Administrator input</p> <p>____ Complaint files</p> <p>____ Other _____</p>
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Comment: _____

<p>110. A copy of the procedural safeguards available to the parent(s) of a child with a disability is given to parent(s) at a minimum upon:</p> <p>a. initial referral for evaluation;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>b. each notification of an IEP meeting;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>c. reevaluation of the child;</p> <p style="text-align: center;">Yes ____ No ____</p> <p>d. receipt of a request for due process hearing; and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>e. notification of a decision to take disciplinary action when the LEA is contemplating a removal that constitutes a change in placement.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures</p> <p>____ Student records</p> <p>____ IEPs</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Administrator input</p> <p>____ Complaint files</p> <p>____ Other _____</p>
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Comment: _____

<p>111. The procedural safeguards notice includes a full explanation of all procedural safeguards relating to:</p> <ul style="list-style-type: none"> • independent educational evaluation; • prior written notice; • parental consent; • access to educational records; • opportunity to present complaints and to initiate due process hearings; • the child's placement during pendency of due process proceedings; • procedures for students who are subject to placement in an interim alternative educational setting; • requirements for unilateral placement by parent(s) of children in private schools at public expense; • mediation; • due process hearings, including requirements for disclosure of evaluation results and recommendations; • civil actions; • attorneys' fees; and • the state complaint procedures, including a description of how to file a complaint and the timelines under those procedures. <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ Content of notice</p> <p>____ Adapted state's model procedural safeguard notice</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Administrator input</p> <p>____ Other _____</p>
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Comment: _____

<p>112. Informed parental consent is obtained before:</p> <p>a. conducting an initial evaluation or reevaluation, including a functional behavioral assessment if such assessment is not a review of existing data conducted at an IEP meeting; Yes ____ No ____</p> <p>b. any change in identification of a child with a disability; Yes ____ No ____</p> <p>c. initial provision of special education and related services to a child with a disability and any revision to the child's IEP services; Yes ____ No ____</p> <p>d. any partial or complete termination of special education and related services, except for graduation with a standard or advanced studies diploma; and Yes ____ No ____</p> <p>e. accessing a parent's private insurance proceeds. Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Student records ____ Written consent ____ Parent input ____ Student input ____ Other _____</p>
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Comment: _____

Parental Rights Regarding Public or Private Insurance

<p>113. When the LEA uses Medicaid or other public insurance to pay for services required, as permitted under the public insurance program, the LEA provides notice to the parent(s) that:</p> <ul style="list-style-type: none"> • they are not required to sign up for public insurance in order for their child to receive a free appropriate public education; • they are not required to incur out-of-pocket expenses, such as payment of a deductible or co-pay amount incurred in filing a claim for services; and • the LEA may not use a child's benefit under a public insurance program if that use would (i) decrease available lifetime coverage or any other insurance benefit; (ii) result in the family paying for services that would otherwise be covered by public insurance program and that are required for the child outside of the time the child is in school; (iii) increase premiums or lead to the discontinuation of insurance; or (iv) risk loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures. <p>Is the locality meeting the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Parent input ____ Student input ____ Written consent ____ Other _____</p>
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Comment: _____

<p>114. When the LEA uses private insurance to pay for services, the LEA:</p> <ul style="list-style-type: none"> • obtains parental consent each time it proposes to access the parent's insurance; • informs the parent that their refusal to permit the LEA to access their private insurance does not relieve the LEA of its responsibility to ensure that all required services are provided at no cost to parent(s); and • obtains parental consent to release educational information to the private insurance company for billing purposes. <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Parent input ____ Student input ____ Written consent ____ Other _____</p>
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Comment: _____

Confidentiality of Information

<p>115. When parent(s) request to review or inspect any education records relating to their child, the LEA:</p> <p>a. permits the parent to inspect and review unless the LEA has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation, and divorce; and</p> <p style="text-align: center;">Yes ____ No ____</p> <p>b. complies with each request without unnecessary delay and before any meeting regarding an IEP or any hearing, and in no case more than 45 days after the request is made.</p> <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Parent input ____ Student input ____ Administrators interviews ____ LEA policy and procedures ____ Other _____</p>
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Comment: _____

<p>116. The LEA affords parent(s) the following rights:</p> <p>a. the right to a response from the LEA to a reasonable request for explanations and interpretations of the records;</p> <p>b. the right to request that the LEA provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review records; and</p> <p>c. the right to have a representative of the parent inspect and review the records.</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Parent input ____ Student input ____ Administrators interviews ____ LEA policy and procedures ____ Other _____</p>
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Comment: _____

<p>117. The LEA ensures that:</p> <p>a. a record is kept of parties, except parent(s) and authorized employees of the LEA, obtaining access to education records collected, maintained, or used, including the name of the party, the date of access, and the purpose of the access; Yes ____ No ____</p> <p>b. when an education record includes information on more than one child, the parent(s) of those children inspect and review only the information relating to their child or are informed of the specific information requested; Yes ____ No ____</p> <p>c. upon request, parent(s) are provided a list of the types and locations of education records collected, maintained, or used by the LEA; and Yes ____ No ____</p> <p>d. if a fee is charged for copies of records, the fee does not prevent parent(s) from exercising their right to inspect and review those records. (A fee is not charged to search or retrieve information.) Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Parent input ____ Student input ____ Administrators interviews ____ LEA policy and procedures ____ Other _____</p>
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Comment: _____

<p>118. When parent(s) believe that information in the education records collected, maintained, or used by the LEA is inaccurate or misleading or violates the privacy or other rights of the child and request the LEA to amend the information, the LEA:</p> <p>amends the information in accordance with the request within a reasonable time of the request; or informs the parent(s) of the refusal and advises the parent(s) of the right to a hearing.</p> <p>Is the locality meeting the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Parent input ____ Student input ____ Administrators interviews ____ LEA policy and procedures ____ Other _____</p>
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Comment: _____

<p>119. The LEA obtains written parental consent before disclosing personally identifiable information to anyone other than school officials with legitimate educational interest.</p> <p>Is the locality meeting the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Parent input ____ Student input ____ Student records ____ Administrators interviews ____ LEA policy and procedures ____ Other _____</p>
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Comment: _____

<p>120. The LEA:</p> <p>a. protects the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages; Yes ____ No ____</p> <p>b. assigns one official the responsibility for ensuring confidentiality of personally identifiable information; Yes ____ No ____</p> <p>c. provides training or instruction to all persons collecting, maintaining, or using personally identifiable information on the state's policies and procedures for ensuring confidentiality of information; Yes ____ No ____</p> <p>d. maintains, for public inspection, a current listing of names and positions of employees within the agency who have access to personally identifiable information; Yes ____ No ____</p> <p>e. informs parent(s) when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the child, and destroys information, at the request of parent(s). Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Parent input ____ Student input ____ Student records ____ Administrators interviews ____ LEA policy and procedures ____ Other _____</p>
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Comment: _____

<p>121. The LEA's management of education records ensures that parents are permitted to review and inspect all education records relating to his/her child.</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____</p>	<p>____ Parent input ____ Student input ____ Student records ____ Administrators interviews ____ LEA policy and procedures ____ Other _____</p>
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Comment: _____

Comment: _____

<p>123. The LEA notifies the parent(s) and the student that:</p> <ul style="list-style-type: none"> a. educational rights under IDEA will transfer from the parent to the student upon the student reaching the age of majority. Such notification is given at least one year prior to the student's eighteenth birthday; and <p style="text-align: center;">Yes ____ No ____</p> <ul style="list-style-type: none"> b. procedures exist for appointing the parent(s), or if the parent(s) are not available, another appropriate individual to represent the educational interests of the student, if the student is determined not to have the ability to provide informed consent with respect to the educational program. <p style="text-align: center;">Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<div style="margin-bottom: 5px;"><input type="checkbox"/> Parent input</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> Student input</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> Student records</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> Administrators interviews</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> LEA policy and procedures</div> <div style="margin-bottom: 5px;"><input type="checkbox"/> Other _____</div>
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Comment: _____

<p>124. The LEA ensures that the parent(s) of a child with a disability are informed of the option of mediation to resolve disputes involving the LEA's proposal to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child, at a minimum whenever a due process hearing is requested.</p>	<p> <input type="checkbox"/> LEA policy and procedures <input type="checkbox"/> Student records <input type="checkbox"/> Parent input <input type="checkbox"/> Student input <input type="checkbox"/> Teacher interviews <input type="checkbox"/> Administrator interviews <input type="checkbox"/> Other _____ </p>
<p>Is the locality meeting the requirement? Yes No</p>	

Are there any concerns?	Yes ____ No ____	
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Comment: _____

8 VAC 20-80-76 DUE PROCESS HEARING p. 52

<p>125. The LEA:</p> <p>a. maintains a list of the persons serving as hearing officers, which includes a statement of the qualifications of each officer; Yes ____ No ____</p> <p>b. provides the parent(s) a form for use to provide notice that they are requesting a due process hearing and a copy of procedural safeguards; Yes ____ No ____</p> <p>c. maintains the confidentiality of the completed notice form and its contents; Yes ____ No ____</p> <p>d. ensures that the parent(s) right to a due process hearing is not delayed or denied for failure to complete the notice; Yes ____ No ____</p> <p>e. ensures that a hearing officer is appointed within five business days of a request for a nonexpedited hearing and three business days of a request for an expedited hearing; Yes ____ No ____</p> <p>f. informs parent(s) at the time the request is made of the availability of mediation; Yes ____ No ____</p> <p>g. informs parent(s) of any free or low-cost legal and other relevant services when parent(s) request or anytime a hearing is initiated; Yes ____ No ____</p> <p>h. assists the hearing officer, upon request, in securing the location and recording equipment for the hearing; Yes ____ No ____</p> <p>i. makes timely and necessary responses to the hearing officer; Yes ____ No ____</p> <p>j. complies with timelines, orders, and requests of the hearing officer; Yes ____ No ____</p> <p>k. maintains a file, which is part of the child's record, containing communications, exhibits, decisions, and the implementation</p>	<p>____ LEA policy and procedures ____ Copy of list of hearing officers ____ Parent input ____ Student input ____ Teacher interviews ____ Administrator interviews ____ Other _____</p>
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<p>plan, including mediation communications;</p> <p>Yes ____ No ____</p> <p>l. forwards all necessary communications to VDOE and parties as required;</p> <p>Yes ____ No ____</p> <p>m. VDOE when the agency is considering an appeal of the decision or when the decision of the hearing officer has been appealed to court;</p> <p>Yes ____ No ____</p> <p>n. forwards the record of the due process proceedings to the appropriate court for any case that is appealed; and</p> <p>Yes ____ No ____</p> <p>o. develops and submits implementation plans that state how and when the decisions or agreements will be put into action within 45 calendar days of the rendering of decisions or the withdrawals of hearing requests.</p> <p>Yes ____ No ____</p> <p>Is the locality meeting each part of the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	
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Comment: _____

<p>126. Hearings are not conducted by:</p> <ul style="list-style-type: none"> • individuals with a personal or professional interest that would conflict with the person's objectivity in the hearing; • employees of the LEA or VDOE; • individuals who represent schools or parent(s) in matters involving special education or disability rights; or • individuals who are employees of any parent rights agency or organization or disability rights agency or organization. <p>Is the locality meeting the requirement? Yes ____ No ____</p> <p>Are there any concerns? Yes ____ No ____</p>	<p>____ LEA policy and procedures</p> <p>____ Student records</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Teacher interviews</p> <p>____ Administrator interviews</p> <p>____ Other _____</p>
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Comment: _____

<p>127. Except in cases where a change in placement is ordered by a hearing officer, during the pendency of any administrative or judicial proceeding, the student remains in the current educational placement unless:</p> <p>a. the parent or parent(s) of the student and the LEA agree otherwise; or</p> <p>b. if proceeding involves initial admission to public school, the student, with consent of the parent(s) is placed in the public school until completion of the proceeding; or</p> <p>c. if the hearing officer agrees with the student's parent(s) that a change in placement is appropriate, that placement is treated as an agreement between the LEA and the parent(s) for maintaining the student's placement during the proceeding.</p>	<p>____ LEA policy and procedures</p> <p>____ Student records</p> <p>____ Parent input</p> <p>____ Student input</p> <p>____ Teacher interviews</p> <p>____ Administrator interviews</p> <p>____ Other _____</p>
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Comment: _____

Comment: _____

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Comment: _____

Local Advisory Committee

133. Public notice of the LEA's local advisory committee for special education is published annually listing the names of committee members and including a description of ways in which interested parties may express their views to the committee. Is the locality meeting the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____	____ Parent input ____ Student input ____ Notice ____ Other _____
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Comment: _____

134. The local advisory committee: a. meets at least quarterly and makes meetings open to the public; <div style="text-align: center;">Yes ____ No ____</div> b. advises the local school division of unmet needs in the education of children with disabilities; <div style="text-align: center;">Yes ____ No ____</div> c. assists the local school division in the formulation and development of plans for improving performance of children with disabilities; <div style="text-align: center;">Yes ____ No ____</div> d. participates in the development of priorities and strategies for meeting the identified needs of children with disabilities; <div style="text-align: center;">Yes ____ No ____</div> e. submits periodic reports and recommendations regarding the education of children with disabilities to the division superintendent for transmission to the local school board; <div style="text-align: center;">Yes ____ No ____</div> f. assists the local school division in interpreting plans to the community for meeting the special needs of children with disabilities for educational services; and <div style="text-align: center;">Yes ____ No ____</div> g. reviews the policies and procedures for the provision of special education and related services prior to submission to the local school board and VDOE. <div style="text-align: center;">Yes ____ No ____</div> Is the locality meeting each part of the requirement? Yes ____ No ____ Are there any concerns? Yes ____ No ____	____ LAC meeting schedule ____ LAC meeting minutes ____ Board agendas ____ Board minutes ____ LAC interview ____ Other _____
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Comment: _____

Regional Programs

135. Regional special education programs are provided in accordance with the least restrictive environment requirements.		<input type="checkbox"/> IEPs <input type="checkbox"/> Policies and procedures <input type="checkbox"/> Other _____
Is the locality meeting the requirement?	Yes ____ No ____	
Are there any concerns?	Yes ____ No ____	

Comment: _____

Transition from Infant and Toddler to Early Childhood

136. Children participating in early intervention programs under Part C and who will participate in preschool programs under Part B are afforded a smooth and effective transition to the preschool programs, in a manner consistent with the lead agency's Part C policies and procedures; and		<input type="checkbox"/> Agency interviews <input type="checkbox"/> IEPs/IFSPs <input type="checkbox"/> Other _____
Yes ____ No ____		
The local school division participates in transition planning conferences when notified by the designated local Part C early intervention agency.		
Yes ____ No ____		
Is the locality meeting each part of the requirement?	Yes ____ No ____	
Are there any concerns?	Yes ____ No ____	

Comment: _____

Programs for Children in Regional or Local Jails

137. Children with disabilities in regional or local jails are provided services in accordance with the requirements.		<input type="checkbox"/> Agency interviews <input type="checkbox"/> IEPs <input type="checkbox"/> Other _____
a. If the local school division has a regional or local jail within its jurisdiction, the LEA provides special education and related services to all eligible children with disabilities incarcerated in the jail for more than 10 days; and		
Yes ____ No ____		
If the local school division has a regional or local jail in its jurisdiction, the LEA establishes an interagency agreement with the jail administrator addressing staffing and security issues associated with the provision of special education and related services in the jail.		
Yes ____ No ____		
Is the locality meeting each part of the requirement	Yes ____ No ____	
Are there any concerns?	Yes ____ No ____	

Comment: _____

